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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,654	04/25/2005	Bruce Archibald Short	4502-1097	6238
<div>466                      7590                      06/22/2009</div> <div>YOUNG &amp; THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314</div>				
EXAMINER				
BEATCH, THOMAS A				
ART UNIT		PAPER NUMBER		
3671				
MAIL DATE		DELIVERY MODE		
06/22/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/532,654

**Applicant(s)**

SHORT, BRUCE ARCHIBALD

**Examiner**

THOMAS A. BEACH

**Art Unit**

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 24-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24 and 30-32 is/are rejected.
- 7) ☐ Claim(s) 25-29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 24-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Melander 6,431,785. Melander shows an apparatus for connecting an implement to a prime mover (fig 1), the apparatus having a connector that is mountable on the prime mover, and has at least one recess for receiving a connecting pin mounted on the implement; and retaining means 30 provided to, in use, hold the implement on the connector, the connector being adapted for use with a retaining pin 42 having a head portion and a substantially cylindrical tail portion (fig 5), and the connector having a cylindrical passage 47/48 adjacent to the at least one recess 32 (fig 4), the passage being sized to receive the tail portion of the retaining pin only (fig 50, and the passage being located such that when the retaining pin is received with its head portion adjacent the connecting pin (fig 5), the head portion of the retaining pin prevents the connecting pin from exiting the at least one recess (since the head portion maintains the locking plate 40 in position and the claim language does not preclude this interpretation, especially since "consisting of" language is not used in the preamble).

3. Claims 30-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Fatemi 6,691,438. Fatemi shows an apparatus for connecting an implement to a prime mover, the apparatus having a connector that is mountable on the prime mover, and has at least one recess for receiving a connecting pin mounted on the implement; retaining means provided to, in use, hold the implement on the connector; and a retaining pin 120 that is configured to slide between an extended and a retracted position, the retaining pin being biased toward the extended position, the retaining pin being positioned and aligned such that as a connecting pin of the implement enters the at least one recess the retaining pin is pushed by the connecting pin toward the retracted position, and when the connecting pin is fully home within the recess the retaining pin can move to the extended position, and once the connecting pin is fully home within the recess the connecting pin is no longer able to push the retaining pin toward the retracted position.

As concern claim 31, Fatemi shows the retaining pin can be moved to the retracted position by a ram 130.

As concern claim 32, Fatemi shows the connector has a first recess 40 and a second recess 42, each recess being configured to receive a connecting pin mounted on the implement, the retaining means being adapted to secure a first connecting pin of the implement within the first recess of the connector, and the retaining pin being adapted to secure a second connecting pin of the implement within the second recess of the connector (fig 3).

***Allowable Subject Matter***

4. Claims 25-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

5. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

/Thomas A Beach/  
Primary Examiner, Art Unit 3671

June 22, 2009

**THOMAS A. BEACH**

Application/Control Number: 10/532,654

Page 6

Art Unit: 3671

**Primary Examiner**  
**Group 3600**